UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

v.

HUY CHI LUONG,

Movant.

Nos. 2:96-cr-0350-09 WBS AC
2:17-cv-1982 WBS AC

ORDER

Movant, a federal prisoner proceeding through counsel, has filed a motion to vacate, set aside or correct his sentence pursuant to 28 U.S.C. § 2255. ECF No. 1029. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 24, 2023, the magistrate judge filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 1064. Neither party has filed objections to the findings and recommendations.

The court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed August 24, 2023 (EC No. 1064), are adopted

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in full;

2. Movant's motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 (ECF No. 1029) is DENIED;

3. Movant's request to postpone transfer (ECF No. 1028) is DENIED;

4. The court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253; and

5. The Clerk of the Court is directed to close the companion civil case, No. 2:17-cv-1982 WBS AC, and to enter judgment in accordance with this Order.

Dated: September 25, 2023

WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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